United Nations A/70/1032

General Assembly

Distr.: General
6 September 2016

Original: English

Seventieth session
Agenda items 44 and 79 (a)

Question of Cyprus

Oceans and the law of the sea

Letter dated 6 September 2016 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention, in your capacity both as Secretary-General of the United Nations and as depositary of the United Nations Convention on the Law of the Sea, to new acts by the Republic of Turkey based on unlawful claims over the continental shelf/exclusive economic zone of the Republic of Cyprus. These new activities by Turkey are in violation of the sovereign rights and jurisdiction of the Republic of Cyprus over these maritime zones.

In particular, the vessel *Flash Royal*, flying the flag of the Republic of Cyprus, was conducting marine scientific research, on behalf of the Republic of Cyprus, with respect to cetacean species when it was harassed twice by a frigate of the Turkish Navy.

The sequence of events is as follows:

- On 25 August 2016, at 1340 Universal Coordinated Time (UTC), the *Flash Royal*, while carrying out marine scientific research activities in the territorial sea of the Republic of Cyprus, sailed beyond the territorial sea 12-mile limit, entering the continental shelf/exclusive economic zone of the Republic of Cyprus, at position 34° 44' 07.02" N — 032° 06' 31.98" E. As soon as the *Flash Royal* left the territorial sea of the Republic of Cyprus, the Turkish frigate TCG *Gelibolu* (F-493) contacted the vessel and instructed the captain to change course as it had, so the Turkish argument runs, entered the "Turkish maritime jurisdiction area";
- On 26 August 2016, at 0535 UTC, the TCG *Gelibolu* (F-493) called the *Flash Royal*, which was performing research activities in the territorial sea of the Republic of Cyprus, at position 35° 15' 13.92" N — 032° 07' 34.92" E, to change its course by reason of allegedly violating the "Turkish maritime jurisdiction area".

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Such illegal actions provide a further example of Turkey's attempt to prevent the Republic of Cyprus from exercising its legitimate rights under the United Nations Convention on the Law of the Sea and under customary international law, and are a direct corollary of the unreasonable maritime claims put forward by Turkey, which have no basis whatsoever under international law as reflected in the Convention, nor under customary international law.

Furthermore, in making such claims Turkey often uses the term "Turkish maritime jurisdiction area", which is ambiguous and cannot support any legitimate claims, as it does not refer to any particular maritime zone envisaged either in the United Nations Convention on the Law of the Sea or in customary international law.

The Republic of Cyprus calls upon Turkey to respect the principles of international law, including the customary rule of good faith, withdraw its maximalist maritime claims and desist from any illegal activities within the continental shelf/exclusive economic zone of the Republic of Cyprus.

I reaffirm that the Government of the Republic of Cyprus remains determined to continue exercising, upholding and protecting its sovereign rights and jurisdiction over its continental shelf/exclusive economic zone in accordance with international law, including the United Nations Convention on the Law of the Sea, using all peaceful means at its disposal.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 44 and 79 (a).

(*Signed*) Nicholas **Emiliou**